

# **Exhibit B**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**TYLER TECHNOLOGIES, INC.,**

**Plaintiff,**

**v.**

**VBCONVERSIONS LLC,**

**Defendant.**

**Civil Action No. 4:14-cv-00150**

**DECLARATION OF MATTHEW BIERI IN SUPPORT OF  
PLAINTIFF TYLER TECHNOLOGIES, INC.'S RESPONSE TO DEFENDANT'S  
MOTION TO DISMISS OR TRANSFER**

I, Matthew Bieri, hereby declare, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am the Chief Information Officer at Tyler Technologies, Inc. ("Tyler"). I am over eighteen (18) years of age, and I am otherwise fully competent to make this Declaration. Unless otherwise indicated below, the statements in this declaration are based upon my personal knowledge, following a reasonable investigation, or corporate records maintained by Tyler in the ordinary course of business.

2. My office is located at 5101 Tennyson Parkway, Plano, Texas 75024.

3. The majority of the servers relating to the Tyler Education Management System ("TEMS")<sup>1</sup> product are managed out of Plano and located in Longview, Texas. Backup TEMS servers are located in Maine.

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<sup>1</sup> TEMS is currently referred to as Tyler SIS.

4. I have reviewed the February 6, 2014, letter that Defendant VBConversions, LLC sent to H. Lynn Moore, Jr., Tyler's Executive Vice President and General Counsel, and all of the exhibits attached to the letter ("Demand Letter").

5. Upon receiving the Demand Letter, Tyler conducted an investigation of the allegations made in the Demand Letter. I personally participated in this investigation.

6. As a part of this investigation, Tyler searched the entirety of its computer hardware infrastructure for any instance of the computer software program entitled VB.Net to C# Converter ("Software"). To conduct the search, Tyler used LANDesk software, which Gartner, Inc. (an Information Technology research and advisory firm) categorizes as being in the top quadrant for Information Technology asset management. Approximately 3,000 computers and 1,200 servers were included in this audit.

7. Not a single instance of the Software was uncovered.

8. Tyler has not located a computer labeled "CHI-SFAHAD," and has no record of ever owning any such computer.

9. Tyler does not own the IP addresses 70.91.247.49, 67.176.156.90, 192.168.11.9 or 10.197.55.24, and does not have any record of ever owning such IP addresses.

10. The e-mail address uknowsana@gmail.com is not a Tyler e-mail address.

11. Tyler employees are not permitted to conduct Tyler business using personal e-mail accounts.

12. There is no Tyler record of the e-mail address Syed.Fahad6@tylertech.com, and there is no record that such an e-mail address ever existed.

13. There is no evidence that any of the activities alleged to have been performed by Syed M. Fahad occurred on or using Tyler hardware, software or infrastructure.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on June 6, 2014.

Dated: 6/6/14



Matthew Bieri  
Chief Information Officer  
Tyler Technologies, Inc.